

REMARKS

Claims 1-25 are pending in the application; the status of the claims is as follows:

Claims 1-5 and 10-22 are withdrawn from consideration.

Claims 6-9, 23, and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,323,479 B1 to Hyncecek et al. ("Hyncecek et al."), U.S. Application Publication No. US 2001/0045508 to Dierickx ("Dierickx"), and further in view of U.S. Patent No. 6,697,112 B2 to Morris et al. ("Morris et al.").

Claim 25 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 6 has been amended to include the limitations of claim 25. Claim 25 has been canceled because its limitations are now included in claim 6. Claims 1-5 and 10-22 are withdrawn as directed to an unelected invention. In order to facilitate processing of this application, claims 1-5 and 10-22 have been canceled. These changes do not introduce any new matter.

35 U.S.C. § 103(a) Rejection

The rejection of claims 6-9, 23, and 24 under 35 U.S.C. § 103(a), as being unpatentable over Hyncecek et al, Dierickx, and further in view of Morris et al., is respectfully traversed based on the following.

Claim 6 has been amended to include the limitations of claim 25, from which it depends. In the Office Action, it was indicated that claim 25 would be allowable if rewritten in independent form. Because claim 6 includes the limitations of claim 25, it is now essentially claim 25 in independent form. Therefore, claim 6 is now allowable.

Application No. 09/769,065
Amendment dated September 22, 2005
Reply to Office Action of July 22, 2005

Claims 7-9, 23 and 24 are dependent upon claim 6, and thus include all of the limitations of claim 6. Therefore, claims 7-9, 23 and 24 are also allowable.

Accordingly, it is respectfully requested that the rejection of claims 6-9, 23, and 24 under 35 U.S.C. § 103(a) as being unpatentable over Hynecek et al, Dierickx, and further in view of Morris et al., be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.


If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

Application No. 09/769,065
Amendment dated September 22, 2005
Reply to Office Action of July 22, 2005

and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's
Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: 
Douglas A. Sorensen
Registration No. 31,570
Attorney for Applicants

DAS/llb:bar
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3482
Main: (214) 981-3300
Facsimile: (214) 981-3400
September 22, 2005